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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 MARQUIS JACKSON,

12 Defendant.

13 CASE NO. 2:24-cr-00164-JNW

14 ORDER DENYING MOTION FOR A
15 DETENTION HEARING AND FOR
16 RELEASE

17 **1. INTRODUCTION**

18 This matter comes before the Court on Defendant Marquis Jackson's Motion
19 for a Detention Hearing and for Release. Dkt. No. 281. Having considered the
20 papers submitted in support of and opposition to the motion, as well as the relevant
21 record, the Court DENIES the motion for the reasons below.

22 **2. BACKGROUND**

23 On September 25, 2024, a grand jury returned an indictment charging
24 Marquis Jackson with Conspiracy to Distribute Controlled Substances in violation
25 of 18 U.S.C. § 841(b)(1)(A) and Conspiracy to Commit Money Laundering in
26 violation of 18 U.S.C. § 1956(h). Dkt. No. 1. On October 10, 2024, the grand jury

1 returned a superseding indictment, adding six defendants to the criminal
2 conspiracy. Dkt. No. 128.

3 Marquis Jackson was arrested in Atlanta, Georgia on or about October 2,
4 2024, and stipulated to detention there. Dkt. No. 78. That same day, the
5 Government filed a detention memorandum seeking detention of Marquis Jackson
6 and others involved in the alleged conspiracy. Dkt. No. 31.

7 On October 31, 2024, after being transported to this district, Marquis
8 Jackson appeared before Magistrate Judge Tsuchida for his initial appearance,
9 arraignment, and detention hearing. Dkt. No. 204. At that hearing, the Government
10 moved for detention, citing flight risk, community danger, and the rebuttable
11 presumption based on the drug charge. Dkt. No. 216. Marquis Jackson stipulated to
12 detention “without prejudice,” and the Court entered a detention order on October
13 31, 2024. Dkt. Nos. 204, 217; *see also* Audiotape: Initial Appearance and
14 Arraignment, Dkt. No. 204 (on file with the Court).

15 Marquis Jackson now moves for a detention hearing and for release, arguing
16 that he never had a detention hearing consistent with 18 U.S.C. § 3142(f), and
17 proposing a release plan that includes: (1) residing with his girlfriend and their
18 child in Redmond, Washington; (2) wearing an ankle bracelet; (3) obtaining
19 employment; (4) adhering to a curfew; and (5) having a third-party custodian
20 supervise him. Dkt. No. 281 at 2.

21 The Government opposes the motion, arguing that Marquis Jackson has not
22 presented new information warranting reopening of the detention hearing and, even
23

if he had, detention remains appropriate under the factors set forth in 18 U.S.C. § 3142(g). Dkt. 282.

3. DISCUSSION

3.1 Legal standard.

The Bail Reform Act establishes a comprehensive scheme governing pretrial detention of criminal defendants. Under 18 U.S.C. § 3142(f), a detention hearing “shall be held immediately upon the person’s first appearance before the judicial officer” unless the defendant or the Government seeks a continuance. Congress has specified the circumstances under which a detention determination may be revisited: “The hearing may be reopened, before or after a determination by the judicial officer, at any time before trial if the judicial officer finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community.” 18 U.S.C. § 3142(f) (emphasis added).

3.2 Defendant waived his right to a contested detention hearing.

The right to contest the propriety of pretrial detention, like many rights in our legal system, may be waived through the considered choice of the accused. “[T]he time requirements and the detention hearing itself provided for in section 3142 are waivable.” *United States v. Clark*, 865 F.2d 1433, 1436 (4th Cir. 1989) (en banc). Represented by counsel, Marquis Jackson affirmatively stipulated to detention, foregoing the contested, adversarial hearing provided for by law. The

1 Court finds that this stipulation waived the detention hearing requirement under
2 § 3142(f), and later efforts to revisit the detention determination are governed by
3 the statute's reopening provision.

4 Marquis Jackson's characterization of his stipulation as "without prejudice"
5 does not alter this analysis. It does not, as he suggests, render the stipulation a
6 nullity or preserve the right to a de novo detention hearing at a time of his choosing.
7 See *United States v. Lizardi-Maldonado*, 275 F. Supp. 3d 1284, 1289 (D. Utah 2017)
8 (holding that a defendant may not "contest the basis for the hearing" after
9 previously submitting to it); cf. *United States v. Subil*, No. 2:23-cr-00030-TL, 2023
10 WL 3866709, at *5 (W.D. Wash. June 7, 2023) (finding defendant waived his right
11 to object to a detention hearing). It merely communicated that he might later seek
12 request for release, as was his right, assuming that such request satisfied the
13 statutory requirements for reopening a detention order.

14 **3.3 Defendant has not presented new information warranting reopening
15 of detention.**

16 To reopen a detention hearing, Marquis Jackson must present
17 "information . . . that was not known to the movant at the time of the hearing and
18 that has a material bearing on the issue" of detention. 18 U.S.C. § 3142(f). Marquis
19 Jackson has failed to meet this standard.

20 Marquis Jackson offers three potential release plans: (1) residing with his
21 girlfriend and their child; (2) residing at his maternal aunt's address; or (3) residing
22 at his mother/co-defendant's address. Dkt. 281 at 2. None of this information is new.
23 His girlfriend and child were known to him at the time of the October 31 hearing,

1 his aunt's address was listed in the Georgia USPS report available at the time of
2 the hearing, and his mother's status as a co-defendant was also known at that time.
3 Dkt. 282 at 4-5.

4 Marquis Jackson argues that he "was not ready to pitch his release plan on
5 day one, without having conferred with family and pondered his best options to offer
6 as a plan." Dkt. 281 at 7; Dkt. No. 286 at 2. But such a strategic decision does not
7 constitute "information... that was not known to the movant at the time of the
8 hearing" under 18 U.S.C. § 3142(f).

9 **3.4 Even if the hearing were reopened, detention would remain
10 appropriate.**

11 Even if Marquis Jackson had presented new information warranting
12 reopening of the detention hearing, the Court would still order him detained based
13 on the factors set forth in 18 U.S.C. § 3142(g).

14 First, the nature and circumstances of the offense strongly favor detention.
15 Marquis Jackson is charged with serious drug trafficking and money laundering
16 offenses that carry a mandatory minimum sentence of 10 years and a maximum of
17 life imprisonment. Dkt. 281 at 2. As stated in the Government's detention
18 memorandum, Marquis Jackson is alleged to be the leader of a multi-state drug
19 trafficking organization responsible for distributing hundreds of thousands of
20 fentanyl pills. Dkt. 31 at 6–10. These charges trigger a rebuttable presumption that
21 no condition or combination of conditions will reasonably assure Marquis Jackson's
22 appearance and the safety of the community. 18 U.S.C. § 3142(e)(3)(A).

1 Second, the weight of the evidence against Marquis Jackson appears
2 substantial. The Government's proffer indicates that intercepted communications
3 revealed Marquis Jackson setting up large-scale drug deals and directing others to
4 transport narcotics. Dkt. 31 at 7–10. Law enforcement seized 100,000 fentanyl pills
5 from individuals allegedly acting at Marquis Jackson's direction. *Id.* While this
6 factor is the least important in the detention analysis, it still weighs in favor of
7 detention. *See United States v. Gebro*, 948 F.2d 1118, 1121 (9th Cir. 1991).

8 Third, Marquis Jackson's history and characteristics weigh heavily in favor of
9 detention. He has an extensive criminal history, including convictions for robbery,
10 drive-by shooting, and multiple offenses involving unlawful possession of firearms.
11 Dkt. No. 31 at 6–7; Dkt. 282 at 3–4. This history shows both violent tendencies and
12 a willingness to possess firearms despite legal prohibitions against doing so.

13 Fourth, the danger posed by Marquis Jackson's release is substantial. The
14 Government proffers that Marquis Jackson has continued to obtain firearms despite
15 prior arrests and convictions for unlawful possession. Dkt. 282 at 4. Additionally,
16 the nature of the charged offense—distributing fentanyl—poses a significant risk to
17 the community. Dkt. 31 at 16.

18 Given these factors, the Court finds that Marquis Jackson has not overcome
19 the rebuttable presumption in favor of detention, and that no condition or
20 combination of conditions would reasonably assure his appearance or the safety of
21 the community.

1 **4. CONCLUSION**

2 In sum, the Court DENIES Marquis Jackson's Motion for a Detention
3 Hearing and for Release (Dkt. 281). He will remain detained pending trial.

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5 Dated this 4th day of April, 2025.

6 
7 Jamal N. Whitehead
8 United States District Judge

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